

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**MICHAEL L. COHEN and
VANJA BAROS,**

Defendants.

Civil Action No. 17-CV-00430

NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff, the Securities and Exchange Commission (the “Commission”), hereby notifies the Court of the following supplemental authorities in further support of the Commission’s opposition to the Defendants’ motions to dismiss (Dkt. No. 44):

1. *SEC v. Mapp*, No. 4:16-CV-00246, 2017 WL 5177960 (E.D. Tex. Nov. 8, 2017) (“*Mapp I*”)
2. *SEC v. Mapp*, No. 4:16-CV-00246, 2017 WL 5230358 (E.D. Tex. Nov. 9, 2017) (“*Mapp II*”)

Copies are attached for the Court’s convenience.

In *Mapp I*, the court held that an injunction is not subject to the time limitations set forth in 28 U.S.C. § 2462. 2017 WL 5177960 at *5 (citing *SEC v. Bartek*, 484 Fed. Appx. 949, 956 (5th Cir. 2012)). This holding further supports the Commission’s arguments in Part II.A.2 of its opposition brief.

In *Mapp II*, the court held that it was “premature to categorically preclude a disgorgement award at the pleading stage” and further noted that the “Rule 8(a)(3) of the Federal Rules of Civil Procedure does not require that the demand for judgment be pled with great specificity.” 2017 WL 5230358 at *8 (quotation omitted). These holdings

further support the Commission's arguments in Part II.E of the Commission's opposition brief.

December 14, 2017

Respectfully submitted,

/s/ Alfred A. Day

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CERTIFICATE OF SERVICE

I certify that on December 14, 2017, I caused a copy of the foregoing document to be filed through the ECF system and, accordingly, the document will be sent electronically to any registered participants as identified on the Notice of Electronic Filing ("NEF").

/s/ Alfred A. Day